

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

**CROSS-USE STIPULATION AND ORDER
BETWEEN HAZEL AND AGROFRESH**

Plaintiff AgroFresh Inc. (“AgroFresh”) and Defendant Hazel Technologies, Inc. (“Hazel”), each by and through counsel, hereby agree as follows:

1. This Cross-Use Stipulation applies to: (1) any document produced by Defendant Hazel in the above-captioned litigation, denoted by the “HAZEL” Bates prefix (the “Hazel Documents”), and (2) the 30(b)(6) deposition transcript and video of Dr. Aidan Mouat, taken on February 20, 2020 (the “Deposition Transcript”).

2. Hazel authorizes AgroFresh to use the Hazel Documents in other litigation, including in any state or federal court (the “Other Litigation”), involving Decco US Post-Harvest, Inc., UPL Ltd., and/or their affiliates, so long as AgroFresh uses those documents subject to the protections of a Protective Order in that other litigation (the “Other Protective Order”).

3. With respect to any individual Hazel Document, the Other Protective Order shall provide equivalent or superior protections to the Protective Order governing the above-captioned matter, D.I. 184 (the “Instant Protective Order”), considering the branding presently applied to each individual Hazel Document.

4. Hazel authorizes AgroFresh to use the Deposition Transcript in the Other Litigation so long as:

- a. With respect to non-technical information, the Deposition Transcript is produced pursuant to the Other Protective Order at a level equivalent to the HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY level in the Instant Protective Order.
- b. With respect to technical information, the Deposition Transcript is produced pursuant to the Other Protective Order at a level equivalent to the HIGHLY CONFIDENTIAL TECHNICAL INFORMATION – OUTSIDE COUNSEL ACCESS ONLY level in the Instant Protective Order.

5. Under this Cross-Use Stipulation, “use” includes, but is not limited to, “produce,” “display,” “docket,” “give,” and “file.”

6. Under this Cross-Use Stipulation, “technical information” means the “chemical composition, mechanism of action, and process for making of the Hazel CA or the Hazel 100 products.”

7. Hazel expressly invokes the following sentence from the Instant Protective Order in entering into this Cross-Use Stipulation: “For clarity, nothing herein shall affect the right of the Designating Party [here, Hazel] to disclose to . . . any other person, its own information.”

8. To the extent this Cross-Use Stipulation and the Instant Protective Order conflict, this Cross-Use Stipulation controls.

STIPULATED AND AGREED:

Plaintiff AgroFresh, Inc.

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Dated: March 24, 2020

IT IS SO ORDERED on this _____ day of _____, 2020.